

IN THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT
OF FLORIDA, HIGHLANDS COUNTY, FALL TERM
TWO THOUSAND AND EIGHTEEN

STATE OF FLORIDA

Plaintiff,

vs.

ZEPHEN ALLEN XAVER,
Defendant.

Case No.: 28-2019-CF-000113-CF-AXMX

INDICTMENT FOR:

- 1) FIRST DEGREE MURDER
(FIREARM)
F.S. 782.04 & 775.087 (CF)
- 2) FIRST DEGREE MURDER
(FIREARM)
F.S. 782.04 & 775.087 (CF)
- 3) FIRST DEGREE MURDER
(FIREARM)
F.S. 782.04 & 775.087 (CF)
- 4) FIRST DEGREE MURDER
(FIREARM)
F.S. 782.04 & 775.087 (CF)
- 5) FIRST DEGREE MURDER
(FIREARM)
F.S. 782.04 & 775.087 (CF)

IN THE NAME AND BY AUTHORITY OF THE STATE OF FLORIDA

The Grand Jurors of the State of Florida, empaneled and sworn to inquire and true presentment make in and for the County of Highlands and State of Florida, upon their oath do present that

ZEPHEN ALLEN XAVER

on or about the Twenty-third day of January, Two Thousand Nineteen, in the County of Highlands and State of Florida, did unlawfully from a premeditated design to effect the death of a human being, kill and murder MARISOL LOPEZ, a human being, by shooting said MARISOL LOPEZ with a firearm, and during the commission of said offense the said ZEPHEN ALLEN XAVER actually discharged a firearm and as a result of said discharge, death or great bodily harm was inflicted upon, MARISOL LOPEZ, in violation of Sections 782.04 and 775.087 Florida Statutes, contrary to the form of the statutes, in such cases made and provided and against the peace and dignity of the State of Florida.

FILED
2019 FEB - 8 PM 1:01
HIGHLANDS COUNTY
CLERK OF COURT

BY OPEN COURT
2-8-19
Gilda Johnson
Clerk of Court

Count Two

The Grand Jurors of the State of Florida, empaneled and sworn to inquire and true presentment make in and for the County of Highlands and State of Florida, upon their oath do present that

ZEPHEN ALLEN XAVER

on or about the Twenty-third day of January, Two Thousand Nineteen, in the County of Highlands and State of Florida, did unlawfully from a premeditated design to effect the death of a human being, kill and murder DEBRA COOK, a human being, by shooting said DEBRA COOK with a firearm, and during the commission of said offense the said ZEPHEN ALLEN XAVER actually discharged a firearm and as a result of said discharge, death or great bodily harm was inflicted upon, DEBRA COOK, in violation of Sections 782.04 and 775.087 Florida Statutes, contrary to the form of the statutes, in such cases made and provided and against the peace and dignity of the State of Florida.

Count Three

The Grand Jurors of the State of Florida, empaneled and sworn to inquire and true presentment make in and for the County of Highlands and State of Florida, upon their oath do present that

ZEPHEN ALLEN XAVER

on or about the Twenty-third day of January, Two Thousand Nineteen, in the County of Highlands and State of Florida, did unlawfully from a premeditated design to effect the death of a human being, kill and murder ANA MARIA WILLIAMS, a human being, by shooting said ANA MARIA WILLIAMS with a firearm, and during the commission of said offense the said ZEPHEN ALLEN XAVER actually discharged a firearm and as a result of said discharge, death or great bodily harm was inflicted upon, ANA MARIA WILLIAMS, in violation of Sections 782.04 and 775.087 Florida Statutes, contrary to the form of the statutes, in such cases made and provided and against the peace and dignity of the State of Florida.

FILED
19 FEB - 8 PM 1:01
HIGHLANDS COUNTY
CLERK OF COURT

FILED IN OPEN COURT

DATE:

2-8-19

BY:

Glenda Johnson

Deputy Clerk

Count Four

The Grand Jurors of the State of Florida, empaneled and sworn to inquire and true presentment make in and for the County of Highlands and State of Florida, upon their oath do present that

ZEPHEN ALLEN XAVER

on or about the Twenty-third day of January, Two Thousand Nineteen, in the County of Highlands and State of Florida, did unlawfully from a premeditated design to effect the death of a human being, kill and murder JESSICA MONTAGUE, a human being, by shooting said JESSICA MONTAGUE with a firearm, and during the commission of said offense the said ZEPHEN ALLEN XAVER actually discharged a firearm and as a result of said discharge, death or great bodily harm was inflicted upon, JESSICA MONTAGUE, in violation of Sections 782.04 and 775.087 Florida Statutes, contrary to the form of the statutes, in such cases made and provided and against the peace and dignity of the State of Florida.

Count Five

The Grand Jurors of the State of Florida, empaneled and sworn to inquire and true presentment make in and for the County of Highlands and State of Florida, upon their oath do present that

ZEPHEN ALLEN XAVER

on or about the Twenty-third day of January, Two Thousand Nineteen, in the County of Highlands and State of Florida, did unlawfully from a premeditated design to effect the death of a human being, kill and murder CYNTHIA WATSON, a human being, by shooting said CYNTHIA WATSON with a firearm, and during the commission of said offense the said ZEPHEN ALLEN XAVER actually discharged a firearm and as a result of said discharge, death or great bodily harm was inflicted upon, CYNTHIA WATSON, in violation of Sections 782.04 and 775.087 Florida Statutes, contrary to the form of the statutes, in such cases made and provided and against the peace and dignity of the State of Florida.

FILED

2019 FEB -8 PM 1:01

HIGHLANDS COUNTY
CLERK OF COURT

FILED IN OPEN COURT

DATE:

BY:

Deputy Clerk

A TRUE BILL



Foreperson of the Grand Jury.

Presented in open Court this 8th day of February, 2019.

STATE OF FLORIDA
COUNTY OF HIGHLANDS

The undersigned states that he, as Assistant State Attorney of the Tenth Judicial Circuit in and for Highlands County, Florida, as authorized and required by law, has advised the Grand Jury returning this Indictment.

BRIAN HAAS
STATE ATTORNEY
TENTH JUDICIAL CIRCUIT

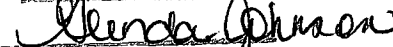


STEPHEN K. HOUCHIN
Assistant State Attorney
Fla. Bar No. 00305138

ZEPHEN ALLEN XAVER
W/M, DOB: 04/02/1997

FILED IN OPEN COURT

DATE: 2-8-19

BY: 
Deputy Clerk

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR HIGHLANDS COUNTY

STATE OF FLORIDA

CASE NUMBER: 28-2019-CF-000113-CF-AXMX

vs.

ZEPHEN ALLEN XAVER

NOTICE OF INTENT TO SEEK DEATH PENALTY AND
DISCLOSURE OF AGGRAVATING FACTORS

COMES NOW the State of Florida, by and through the undersigned State Attorney, pursuant to Rule 3.202, Florida Rules of Criminal Procedure, and hereby notifies the defendant that the State intends to seek the death penalty in the above-captioned case. In addition, pursuant to F.S. 921.141(1) and F.S. 782.04(1)(b), hereby gives notice to the Defendant that the State intends to prove the below listed aggravating factors.

- 1) The defendant was previously convicted of another capital felony or of a felony involving the use or threat of violence to the person.
- 2) The capital felony was especially heinous, atrocious or cruel.
- 3) The capital felony was a homicide and was committed in a cold, calculated, and premeditated manner without any pretense of moral or legal justification.

The State gives notice pursuant to F.S.782.04(1)(b) that it may amend this notice upon a showing of good cause.



BRIAN HAAS
State Attorney
Bar No: 0339600

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Response has been furnished to OFFICE OF THE PUBLIC DEFENDER and ZEPHEN ALLEN XAVER, DEFENDANT, by HAND/US MAIL on this 02/08/2019.



Assistant State Attorney
Bar No: 305138

2019 FEB -8 PM 1:05
HIGHLANDS COUNTY
CLERK OF COURT

FILED